UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE

JONATHAN MANLOVE, Individually, and on behalf of others similarly situated))) No. 1:18-cv-145
Plaintiff,)
v.))
) Judge McDonough
VOLKSWAGEN AKTIENGESELLSCHAFT,) Magistrate Judge Steger
VOLKSWAGEN GROUP OF AMERICA, INC.,)
and VOLKSWAGEN GROUP OF AMERICA)
CHATTANOOGA OPERATIONS, LLC)
Defendants.)))

PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

Through his undersigned counsel, Plaintiff Jonathan Manlove respectfully moves this Court to issue a preliminary injunction, pursuant to Fed. R. Civ. P. 65(a), as follows:

- 1. Enjoining Defendants from further implementing the "Pact for the Future" to target or discriminate in any way against employees over the age of fifty in the United States and from taking any adverse actions against Mr. Manlove and any member of the proposed Class pursuant to the "Pact for the Future";
- 2. Returning Mr. Manlove to his position as a Level 9 Assistant Manager in the Logistics Department, or a comparable Level 9 position;
- 3. Changing Mr. Manlove's internal advancement status from "remain in position" to "vertical" for both the one-year *and* three year period; and

4. Enjoining Defendants from relying on participation in the Management Assessment Center to prevent Mr. Manlove from applying to and being considered for positions for which he is otherwise qualified.

Such relief is warranted for the reasons set forth in the accompanying Memorandum of Law and exhibits filed herewith in support of this Motion. Plaintiff and the proposed class members remain at continual, imminent risk of adverse employment actions—such as demotions, transfers, and terminations—along with other hostile treatment, that would preclude meaningful and effective final relief at the end of the case.

In the alternative, Plaintiff requests that the Court allow for limited discovery and order an evidentiary hearing on this Motion.

Respectfully submitted this 6th day of December 2018.

s/Kevin Sharp

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on December 6, 2018, a true and correct copy of the foregoing document has been furnished to the following individuals via the Court's ECF System:

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